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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/017,654

**Applicant(s)**

ANTTILA ET AL.

**Examiner**

KAMAL B. DIVECHA

**Art Unit**

2451

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19, 23-25, 30-33, 36 and 39-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 23-25, 30-33, 36, 39-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

Claims 1-19, 23-25, 30-33, 36, 39-47 are pending.

Claims 21-22, 26-29 and 34-35 were previously cancelled.

Claims 20 and 37-38 are cancelled in response filed 11/12/08.

Claims 42-47 are newly added claims.

**Response to Arguments**

Applicant's arguments with respect to claims above have been considered but are moot in view of the new ground(s) of rejection, as necessitated by the substantial amendments, more specifically, in view of the wireless device and/or system.

In response filed, applicant also argues in substance that:

- a. None of Liou, Dalrymple or Handley teaches a single message from a wireless terminal that includes the components of the first media playback invite request of claim 1 (remarks, pg. 14).

In response to argument [a], Examiner respectfully disagrees.

Independent claim 1, in part, recites:

A method comprising:

- receiving a first media playback invite request initiated by a host wireless terminal, the first media playback invite request including:
  - information sufficient to identify at least one guest wireless terminal,
  - an identification of a pre-existing playable media file, and
  - a playback option enabling the guest terminal to request different types of playback actions in connection with playback of the identified media file;
- transmitting a second media playback...

The functionalities and/or processes as recited above are typical processes of a SIP protocol.

Dalrymple explicitly discloses the **usage of SIP protocol** for inviting the other computers to begin a playback session of a media file in synchronization, e.g. fig. 2 and col. col. 3 L50 to col. 4 L46, which are reproduced herein.

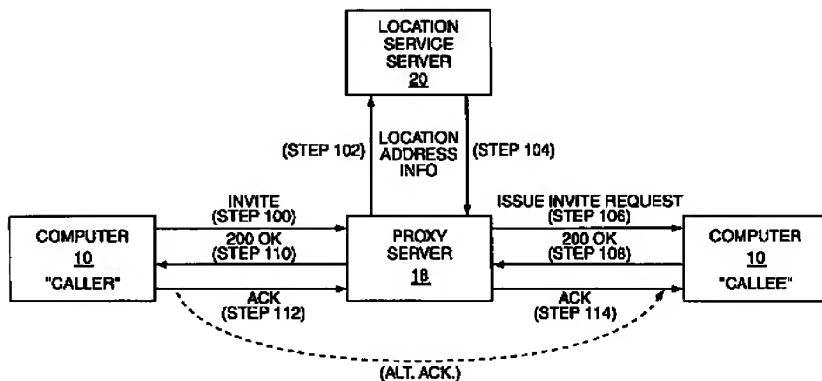


FIG. 2

Preferably, each WBID 16 has the ability to establish a session with other WBIDs 16 over a data network transport of any type. There are numerous protocols for establishing these types of sessions and any of them are sufficient as long as they are capable of communicating information from one user to another according to the concepts described herein. The preferred embodiment of the invention uses the session initiation protocol (SIP) as described in the Internet Engineering Task Force's (IETF) RFC2543, which is incorporated herein by reference in its entirety.

The WBID may establish sessions using any number of techniques as will be apparent to those of ordinary skill in the art. With respect to the present invention, it is important that once a session is established, URL information or like web page location indicia can be passed between the WBIDs 16 of the various computers 10 engaged in a session. Prior to describing the details of web synchronization, two exem-

plary techniques for establishing sessions between computers 10 using SIP are provided.

Establishing a session between two computers 10 using SIP requires an SIP invitation consisting of two requests, an INVITE request followed by an acknowledgment (ACK) message. The INVITE request asks a "callee" to join or engage in a session with a "caller." The session may be a conference with multiple users or a simple, two-party session. After the callee agrees to participate in a call, the caller confirms that it has received response by sending the ACK message. When the caller desires to end the session, a BYE request is sent to the callee.

The INVITE request will typically contain a session description providing the callee with sufficient information to join the session. For multi-cast sessions, such as those used in conferencing, the session description defines the media types and formats that may be used or otherwise distributed in the session.

The protocol for session initiation using SIP is shown in FIG. 2 for a proxy server and FIG. 3 for a redirect server. In FIG. 2, a proxy server 18 accepts the INVITE request from a caller computer 10 (step 100) and contacts a location service server 20 with all or part of the caller's address to determine specific address information for the invited callee computer 10 (step 102). The location service server 20 will process the information and return a specific address identifying the callee computer 10 to the proxy server 18 (step 104). The proxy server 18 will then issue an INVITE request to the callee computer 10 based on the specific address returned by the location service server 20 (step 106).

Notably, for a conference session where there are multiple callees, the proxy server 18 will send INVITES to each of the callee computers 10 based on addresses received from the location service server 20 as necessary. A user agent server running on the callee computer 10 will alert the callee that a session is being requested, and if the session is accepted by the callee, return a success indication (200 OK) to the proxy server 18 (step 108). The proxy server 18 will relay the indication to the caller computer 10 (step 110). Receipt of this indication by the caller computer 10 will result in sending an ACK message to the proxy server 18 (step 112), which will forward the ACK message to callee computer 10 (step 114). Alternatively, the ACK message may be sent directly to the callee computer 10. Throughout the session, the request and responses will typically have the same session or call identification.

One of ordinary skilled in the art can clearly see the similarities between the features of SIP protocol used to establish a connection between users and the applicant's claimed steps.

The SIP invite request typically contains a session description, **written in SDP** (RFC 3227) format that provides the called party **enough information to join the session**, e.g. SEE RFC 2543, pg. 14 [1.4.4].

More specifically, the SDP provides the following information to the callee and/or in an Invite message:

- Session name and purpose
- Time the session is active
- The media comprising the session
- Information to receive those media, etc.

A session description consists of a session-level description and **optionally** several media level descriptions, **wherein the media description includes media name, title, etc.**, See RFC 3227 or Handley, [5], [5.1], [6]: SDP specification, reproduced herein.

"...A session description consists of a session-level description (details that apply to the whole session and all media streams) and optionally several media-level descriptions (details that apply onto to a single media stream).

An announcement consists of a session-level section followed by zero or more media-level sections. The session-level part starts with a "v:" line and continues to the first media-level section. The media description starts with an "m:" line and continues to the next media description or end of the whole session description. In general, session-level values are the default for all media unless overridden by an equivalent media-level value.

When SDP is conveyed by SAP, only one session description is allowed per packet. When SDP is conveyed by other means, many SDP session descriptions may be concatenated together (the "v:" line indicating the start of a session description terminates the previous description). Some lines in each description are required and some are optional but all must appear in exactly the order given here (the fixed order greatly enhances error detection and allows for a simple parser). **Optional items are marked with a ""**

Session description

Art Unit: 2451

v= (protocol version)  
o= (owner/creator and session identifier).  
s: (session name)  
i=\* (session information)

Handley & Jacobson Standards Track [Page 7]  
RFC 2327 SDP April 1998

u=\* (URI of description)  
e=\* (email address)  
p=\* (phone number)  
c:\* (connection information - not required if included in all media)  
b=\* (bandwidth information)

One or more time descriptions (see below)

z:\* (time zone adjustments)

k=\* (encryption key)

a=\* (zero or more session attribute lines)

Zero or more media descriptions (see below)

Time description

t: (time the session is active)

r=\* (zero or more repeat times)

#### **Media description**

m= (media name and transport address)  
i=\* (media title)  
c:\* (connection information - optional if included at session-level)  
b=\* (bandwidth information)  
k=\* (encryption key)  
a=\* (zero or more media attribute lines)

An example SDP description is, e.g. See Handley, pg. 7-8:

v=0

o=mhandley 2890844526 2890842807 IN IP4 126.16.64.4  
s=SDP Seminar  
i:A Seminar on the session description protocol  
u=http://www.cs.ucl.ac.uk/staff/M.Handley/sdp.03.ps  
e=mjh@isi.edu (Mark Handley)  
c=IN IP4 224.2.17.12/127

Art Unit: 2451

Handley & Jacobson Standards Track [Page 8]  
RFC 2327 SDP April 1998

```
t=2873397496 2873404696
a=recvonly
m:audio 49170 RTP/AVP 0
m:video 51372 RTP/AVP 31
m:application 32416 udp wb
a:orient:portrait
```

Handley, at pg. 17-18, further discloses:

#### Attributes

a=

a=:

Attributes are the primary means for extending SDP. Attributes may be defined to be used as "session-level" attributes, "media-level" attributes, or both.

A media description may have any number of attributes ("a:" fields) which are **media specific**. These are referred to as "media-level" attributes and add information about the media stream. Attribute fields can also be added before the first media field; these "session-level" attributes convey additional information that applies to the conference as a whole rather than to individual media; an example might be the conference's floor control policy.

Attribute fields may be of two forms:

o property attributes. A property attribute is simply of the form "a:". These are binary attributes, and the presence of the attribute conveys that the attribute is a property of the session. An example might be "a:recvonly".

o value attributes. A value attribute is of the form "a::". An example might be that a whiteboard could have the value attribute "a:orient:landscape"

Attribute interpretation depends on the media tool being invoked. Thus receivers of session descriptions should be configurable in their interpretation of announcements in general and of attributes in particular.

And, at pg. 22-23, Handley further discloses:

a=recvonly



Art Unit: 2451

This specifies that the tools should be started in receive-only mode where applicable. It can be either a session or media attribute, and is not dependent on charset.

a:sendrecv

This specifies that the tools should be started in send and receive mode. This is necessary for interactive conferences with tools such as wb which defaults to receive only mode. **It can be either a session or media attribute**, and is not dependent on charset.

a:sendonly

This specifies that the tools should be started in send-only mode. An example may be where a different unicast address is to be used for a traffic destination than for a traffic source. In such a case, two media descriptions may be use, one sendonly and one recvonly. It can be either a session or media attribute, but would normally only be used as a media attribute, and is not dependent on charset.

a:orient:

Normally this is only used in a whiteboard media specification. It specifies the orientation of a the whiteboard on the screen. It is a media attribute. Permitted values are "portrait", "landscape" and "seascape" (upside down landscape). It is not dependent on charset

Clearly, the “a” attribute **option, which is media specific**, included within the SDP description, enables the callee to request different types of playback actions. In other words, it enables the callee to receive data as well send data, e.g. request including actions, and/or vice-versa.

For example: a:sendrecv

This specifies that the tools should be started in send and receive mode. This is necessary for interactive conferences with tools such as wb which defaults to receive only mode. **It can be either a session or media attribute**, and is not dependent on charset.

This option enables the computers to send and receive data and/or information. In other words, it enables the callee computer to send the different types of actions associated with a tool.

If a:recvonly, then the callee computer may not be able to send the different types of actions, because the option is set to recv only.

In response filed, applicant asserts that “For example...however, the “a=sendrecv” field described by Handley at pg. 23 is not a playback option enabling the guest terminal to request different types of playback actions in connection with playback of a pre-existing playable media file (remarks, pg. 14)”.

Examiner disagrees for the reasons set forth above.

In the written description, e.g. pg. 7 [25], applicant discloses:

“...In one variation, invite request comprises various fields, including guest user id, session id, media file id, host user id, playback options, playback scheduling, and a free text string of other media type that explains the invitation to the guest users. Playback options give specific guest users permission to request different types of actions during playback session...”

In other words, the playback option allows and/or enables the guest users to request different types of actions.

The “a=sendrecv” field in Handley is a playback option that is associated with the playback and/or synchronization of media and is a media specific, **which enables and/or allows** the callee computer to send and receive data including requesting different types of actions. One of the “a=...” field denies the guest users to request different types of actions, i.e. denies the users to send any data or requests.

Furthermore, applicant acknowledges that “Instead, Handley indicates that...should be started in “send and receive mode”. Clearly, the send and receive mode enables and/or gives the

callee the permissions to receive and send the data. The data can include requesting different types of action.

Applicant also asserts “Handley gives no indication that it would be a request related to playback of pre-existing media file”, e.g. pg. 15.

The SDP set forth above identifies the media file. Obviously, the media file is pre-existing at some location. Moreover, LIOU discloses the pre-existing media file and requesting different types of actions in connection with the media file, e.g. fig. 10 and pg. 18 line 4 to pg. 19 line 13.

As per “wireless terminals” and/or “wireless transmission”, the arguments are moot in view of Vilander. See the detailed rejection.

### **Claim Rejections - 35 USC § 112**

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 1-19, 23-25, 30-33, 36 and 39-47 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

#### **Independent claim 1 recites:**

A method, comprising...

transmitting a second media playback invite request received to the guest wireless terminal subsequent to receipt of the first media playback invite request, wherein the second media playback invite request includes the playback option;

relaying a media playback accept response from the guest wireless terminal to the host wireless terminal;

distributing a start playback request from the host wireless terminal to the guest wireless terminal, wherein the start playback request directs the guest wireless terminal to begin a playback session of the identified media file in synchronization with a beginning of the playback session at the host wireless terminal;

Art Unit: 2451

receiving an action request from the guest wireless terminal, **wherein the action request includes the playback option; and**  
**sending the playback option received from the guest wireless terminal to the host wireless terminal.**

In the written description, applicant discloses:

"...In one variation, invite request comprises various fields, including guest user id, session id, media file id, host user id, playback options, playback scheduling, and a free text string of other media type that explains the invitation to the guest users. **Playback options give specific guest users permission to request different types of actions during playback session...**" (pg. 7 [25]).

**"During the playback session, any of the active users can request a playback action. In order to do so, an active user sends an action request to central server 107.** The action request message requests one of a number of action types during playback session, including pause playback, rewind, fast-forward, user specified internal..." (pg. 12 [31]) (See also pg. 14 [40]).

**Applicant, in response filed,** relies on paragraph [31] to show the support for the above features.

The paragraph [31] is reproduced here:

During the playback session (as initiated by start playback requests 221 and 223), any of the active users (host user *and guest users*) can request a playback action. [emphasis added] In order to do so, an active user sends an action request (e.g. action request 225) to central server 107. The action request message requests one of a number of action types during the playback session, including pause playback, rewind, fast-forward, user-specified internal effect algorithm to modify audio or video (e.g. altering the audio and video in order to accentuate a favorite actress), or textual comment from a user.

This paragraph does not show an action request with the playback option. In this paragraph, the action request includes actions such as pause, rewind, ff, etc.

In other words, the option is not equivalent to actions such as rewind, ff, etc., because the playback option gives the guest users a permission to request different types of actions.

Thus, the specification as filed clearly fails to teach, disclose and/or suggest the process of receiving an action request from the guest terminal **wherein the action request includes the playback option and sending the playback option received from the guess wireless terminal to the host wireless terminal.**

At best understood, the specification discloses invite request message, wherein the invite message includes the playback option giving the users the permission or enabling the users to request different types of actions.

Hence, the claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 2-19, 23-25, 30-33, 36 and 38-41 are rejected for the same reasons as set forth above.

**Note:**

- Since the specification fails to define the term “computer readable medium”, the computer-readable medium is strictly interpreted as hardware/physical storage medium.

**Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-2, 4-6, 8-19, 23-25, 30-33 and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), further in view of Handley et al. (hereinafter Handley, RFC 2327: SDP, April 1998), and further in view of Vilander (US 7,193,987 B2).

As per claim 1, Liou discloses a method comprising:

distributing a start playback request from the host terminal to the guest terminal, wherein the start playback request directs the guest terminal to being a playback session of a media file that is locally stored in the guest terminal in synchronization with a beginning of the playback

session at the host terminal (fig. 10: joining and distributing play request, user 1, user 2, pg. 18 L4-32, pg. 14 L12-32: receiving messages and distributing to clients);

receiving an action request from the guest terminal, wherein the action request includes the playback option (fig. 10: receiving pause action from the terminal, pg. 18 L4 to pg. 19 L13: VCR commands); and

sending the playback option received from the guest terminal to the host terminal (fig. 10: sending the pause message).

However, Liou does not expressly disclose the process of receiving a first media playback invite request initiated by a host wireless terminal, the first media playback invite request including: information sufficient to identify at least one guest wireless terminal, an identification of a pre-existing playable media file, and a playback option enabling the guest terminal to request different types of playback actions in connection with playback of the identified media file; transmitting a second media playback to the guest wireless terminal subsequent to receipt of the first media playback invite request, wherein the media playback invite request includes a playback option and the process of relaying a media playback accept response from the guest terminal to the host terminal (a typical session set up or initiation processes).

Dalrymple explicitly discloses a call set-up method during conferencing comprising the process of receiving a first media playback invite request initiated by a host terminal, the first media playback invite request including: information sufficient to identify at least one guest terminal, an identification of a pre-existing playable media file (fig. 2 step 100: Invite request) transmitting a second media playback to the guest wireless terminal subsequent to receipt of the

first media playback invite request (fig. 2 item #106) and the process of relaying a media playback accept response from the guest terminal to the host terminal (a typical session set up or initiation processes, fig. 2 step #100, 106, 108, 110, fig. 4, col. 3 L50 to col. 4 L46, col. 5 L23-50: the OK response message in SIP protocol by a node/terminal is to convey to the client that the action was successfully received, understood and accepted).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou in view of Dalrymple in order to set-up the session.

One of ordinary skilled in the art would have been motivated because this would have established a communication session between two computers through invitations (Dalrymple: col. 3 L50 to col. 4 L21).

However, Liou in view of Dalrymple does not disclose the media playback invite request including a playback option enabling the guest terminal to request different types of actions (the feature is obvious in SIP and SDP protocols).

Handley explicitly discloses a session description protocol (SDP) including the process of sending the invitations to the users, wherein the invitations includes **various fields** comprising a playback option field **for enabling** the guest terminal to request different types of actions, i.e. enabling the receiver for interactive conferencing, i.e. for sending the actions (pg. 23: a=sendrecv field enables the users to send and receive data).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple in view of Handley in order to include a playback option in the invitation.



One of ordinary skilled in the art would have been motivated because this would have enabled the receivers, i.e. users, to engage in an interactive conference (Handley: pg. 23).

However, LIOU, Dalrymple and Handley do not disclose the method wherein the terminals are wireless terminals.

Vilander explicitly discloses setting up communications between wireless terminals using the SIP protocols (fig. 4: MS, and col. 4 L20-38).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify LIOU, Dalrymple and Handley in view of Vilander in order to enable the wireless devices to engage in a playback session.

One of ordinary skilled in the art would have been motivated because it would have provided playback session to the wireless devices.

As per claim 2, Liou discloses the method further comprising distributing the action request to another terminal during the playback session (pg. 6 L18-27, pg. 14 L12-33: receives action(s) and distributes to all session manager associated with the users, fig. 10).

As per claim 4, Liou discloses the method wherein the action request is selected from the group consisting of a rewind request, a pause playback request, a fast forward request, a textual comment request, and a user-specified internal effect algorithm to modify audio or video of the media file (pg. 11 L21-32, pg. 12 L12-25, fig. 4, fig. 10: pause action).

As per claim 5, Liou discloses the method comprising distributing a stop playback request from the host terminal to the guest terminal in response to the host user terminating the playback session (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session, pg. 14 L12-32: distributing actions to the rest of the clients).

As per claim 6, Liou discloses the method further comprising storing an internal time in response to distributing a start playback request from the host terminal to the guest terminal, wherein the start playback request directs the guest terminal to being a playback session of a media file that is locally stored in the guest terminal in synchronization with the host terminal (pg. 7 L10-14) and providing an elapsed time since distributing the start playback request to third terminal when the third terminal joins the playback session during the playback session (pg. 6 L3-27: delaying, pg. 14 L12-24).

As per claim 8, Liou discloses the method further comprising receiving a stop playback request from the guest terminal in response to the guest user withdrawing from the playback session (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session); and removing a session entry that is associated with the guest terminal, wherein the session entry indicates participation of the guest terminal in the playback session (pg. 14 L12-23: managing state of the conference).

As per claim 9, Liou discloses the method further comprising receiving a stop playback request from the host terminal in response to the host user ending the playback session and terminating the playback session in response to receiving a stop playback request (pg. 11 L21-32, pg. 12 L1-25: a stop button will stop the playback session).

As per claim 10, Liou discloses the method further comprising instructing the guest terminal to modify the media file in accordance with a modification file during the playback session (fig. 4, pg. 7 L29 to pg. 8 L6: client loads one of video and recorded annotation file in a user interface for performing annotation of the video file, i.e. annotating/modifying the media file in accordance with the recorded annotation file, pg. 12 L12-25: recording annotations in

accordance with a text edit window, pg. 19 L9-13: annotate during the playback of recorded annotation file, commanding to draw annotation based on the received annotation record, i.e. a modification file).

As per claim 13, Liou discloses the computer readable medium further comprising instructions to perform distributing a stop playback request from the host terminal to the guest terminal (fig. 10).

However, Liou does not disclose distributing a stop playback request to at least one other terminal in response to host terminal user terminating the playback session.

Dalrymple discloses multiple guest terminals and/or users engaging in playback session utilizing SIP protocol (col. 4 L31-47).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou in view of Dalrymple in order to distribute the stop request to at least one other terminal.

One of ordinary skilled in the art would have been motivated because it would have enabled playback and/or conference session with multiple users (Dalrymple: col. 4 L31-47).

As per claim 14, Liou discloses a method comprising:

Distributing/sending a start playback request from the host terminal to the guest terminal, wherein the start playback request directs the guest terminal to being a playback session of a media file that is locally stored in the guest terminal in synchronization with a beginning of the playback session at the host terminal (fig. 10: joining and distributing play request, user 1, user 2, pg. 18 L4-32, pg. 14 L12-32: receiving messages and distributing to clients);

receiving an action request from the guest terminal, wherein the action request includes the playback option (fig. 10: receiving pause action from the terminal, pg. 18 L4 to pg. 19 L13: VCR commands); and

sending the playback option received from the guest terminal to the host terminal (fig. 10: sending the pause message).

However, Liou does not expressly disclose the process of sending a media playback invite request to at least one guess wireless terminal from a host wireless terminal, wherein the media playback invite request includes information sufficient to identify at least one guest wireless terminal, an identification of a pre-existing playable media file, and a playback option enabling the guest terminal to request different types of playback actions in connection with playback of the identified media file and the process of receiving a media playback accept response from the guest terminal to the host terminal in response to invite request (a typical session set up or initiation processes).

Dalrymple explicitly discloses a call set-up method during conferencing comprising the process of receiving a first media playback invite request initiated by a host terminal, the first media playback invite request including: information sufficient to identify at least one guest terminal, an identification of a pre-existing playable media file (fig. 2 step 100: Invite request) and the process of receiving a media playback accept response from the guest terminal to the host terminal (a typical session set up or initiation processes, fig. 2 step #100, 106, 108, 110, fig. 4, col. 3 L50 to col. 4 L46, col. 5 L23-50: the OK response message in SIP protocol by a node/terminal is to convey to the client that the action was successfully received, understood and accepted).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou in view of Dalrymple in order to set-up the session.

One of ordinary skilled in the art would have been motivated because this would have established a communication session between two computers through invitations (Dalrymple: col. 3 L50 to col. 4 L21).

However, Liou in view of Dalrymple does not disclose the media playback invite request including a playback option enabling the guest terminal to request different types of actions (the feature is obvious in SIP and SDP protocols).

Handley explicitly discloses a session description protocol (SDP) including the process of sending the invitations to the users, wherein the invitations includes **various fields** comprising a playback option field **for enabling** the guest terminal to request different types of actions, i.e. enabling the receiver for interactive conferencing, i.e. for sending the actions (pg. 23: a=sendrecv field enables the users to send and receive data).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple in view of Handley in order to include a playback option in the invitation.

One of ordinary skilled in the art would have been motivated because this would have enabled the receivers, i.e. users, to engage in an interactive conference (Handley: pg. 23).

However, LIOU, Dalrymple and Handley do not disclose the method wherein the terminals are wireless terminals.

Vilander explicitly discloses setting up communications between wireless terminals using the SIP protocols (fig. 4: MS, and col. 4 L20-38).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify LIOU, Dalrymple and Handley in view of Vilander in order to enable the wireless devices to engage in a playback session.

One of ordinary skilled in the art would have been motivated because it would have provided playback session to the wireless devices.

As per claim 30, Liou discloses the method wherein the media file is locally stored on the guest terminal for playback (pg. 6 L3-10).

As per claim 43, LIOU in view of Dalrymple discloses the apparatus wherein the media playback invite request includes information sufficient to identify multiple guest wireless terminals (col. 4 L3-46).

As per claims 11-12, 15-19, 23-25, 31-33, 42 and 44-45, they do not teach or further define over the limitations in claims 1-2, 4-6, 8-10, 13, 14 and 30. Therefore, claims 11-12, 15-19, 23-25, 31-33, 42 and 44-45 are rejected for the same reasons as set forth in claims 1-2, 4-6, 8-10, 14 and 30.

3. Claims 36, 39 and 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), further in view of Kumar et al. (hereinafter Kumar, US 6,006,253), and further in view of Vilander (US 7,193,987 B2).

As per claim 36, Liou discloses an apparatus (i.e. a host and/or guest terminal, pg. 10 L1-24, for use in a synchronous media playback system) comprising:

a processor (pg. 10 L1-24); and

memory (pg. 6 L3-10) storing computer-executable instructions that when executed (pg. 10 L1-24, fig. 1: plurality of host terminals), perform:

receiving at the apparatus a start playback request, wherein the start playback request begins a playback session of the identified media file in synchronization with a beginning of the playback session at a host terminal (fig. 10: joining and distributing play request, user 1, user 2, pg. 18 L4-32, pg. 14 L12-32: receiving messages and distributing to clients);

subsequent to receiving the start playback request, transmitting an action request to the server, wherein the action request includes the playback option (fig. 10: receiving pause action from the terminal, pg. 18 L4 to pg. 19 L13: VCR commands and sending the pause message).

However, Liou does not expressly disclose the process of receiving a media playback invitation at the apparatus from a server via a wireless channel, wherein the media playback invitation includes an identification of a pre-existing playable media file, a playback option enabling the apparatus to request different types of playback actions in connection with playback of the identified media file and responsive to receiving the media playback invitation, transmitting a media playback accept response to the server, wherein if the apparatus does not have the media file, the apparatus downloads the media file before transmitting the media playback accept response.

Dalrymple explicitly discloses a call set-up method during conferencing comprising the process of sending an invite request message from the host terminal to the guest terminal through a central server, i.e. receiving at the apparatus an invitation from the server, wherein the invitation includes an identification of a pre-existing playable media file (SIP uses SDP to describe the session including identification of media file) and responsive to receiving the media

playback invitation, transmitting a media playback accept response to the server (i.e. a standard approach for setting up a communication session and sending invitations in SIP protocol, fig. 2 step #100, 106, 108, 110, fig. 4, col. 3 L50 to col. 4 L46, col. 5 L23-50: the OK response message in SIP protocol by a node/terminal is to convey to the client that the action was successfully received, understood and accepted).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou in view of Dalrymple in order to invite the users and receive the response.

One of ordinary skilled in the art would have been motivated because this would have established a communication session between two computers through invitations (Dalrymple: col. 3 L50 to col. 4 L21).

However, Liou in view of Dalrymple does not disclose the media playback invite request including a playback option enabling the guest terminal to request different types of actions and the process wherein if the apparatus does not have the media file, the apparatus downloads the media file before transmitting the media playback accept response.

Kumar discloses the SDP comprising sending an announcement, i.e. invitations, including a playback option, i.e. field for indicating mode of operation such as sendonly, sendrecv or recvonly, enabling the guest terminal to request different types of actions i.e. enabling the receiver for interactive conferencing, i.e. for sending the actions (fig. 6 item #650, col. 10 L11-44), and the process of downloading the media file if the apparatus does not have the media file (col. 7 L25-55: note that the invitations and/or announcement enables the user to download the slides before and/or after the user transmits the accept response).



Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou and Dalrymple in view of Kumar in order to include a playback option in the invitation and download the media filed before transmitting the accept message.

One of ordinary skilled in the art would have been motivated because this would have enabled the receivers, i.e. users, to engage in an interactive conference regarding the media file.

However, LIOU, Dalrymple and Handley do not disclose the process of receiving a media playback invitation at the apparatus from a server via a wireless channel.

Vilander explicitly discloses the process of receiving a media playback invitation at the apparatus from a server via a wireless channel (fig. 4: MS, and col. 3 L65 to col. 4 L38).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify LIOU, Dalrymple and Handley in view of Vilander in order to receive the invitation from the server via the wireless channel.

One of ordinary skilled in the art would have been motivated because it would have provided playback session to the wireless devices.

As per claim 38, Liou and Dalrymple discloses the apparatus wherein the processor utilizes the communication interface to communicate to a central server, wherein the central server receives and forwards invitations and responses between the apparatus and the terminal (Liou: pg. 10 L1-24, pg. 14 L12-32, fig. 1, fig. 10; Dalrymple: fig. 2-4, pg. 16 L21-27).

As per claim 39, Liou discloses the apparatus wherein the processor includes instructions to perform modifying the media file in accordance with a modification file during the playback session (fig. 4, pg. 7 L29 to pg. 8 L6: client loads one of video and recorded annotation file in a

user interface for performing annotation of the video file, i.e. annotating/modifying the media file in accordance with the recorded annotation file, pg. 12 L12-25: recording annotations in accordance with a text edit window, pg. 19 L9-13: annotate during the playback of recorded annotation file, commanding to draw annotation based on the received annotation record, i.e. a modification file).

As per claims 46-47, they do not teach or further define over the limitations in claims 36 and 39. Therefore claims 46-47 are rejected for the same reasons as set forth in claims 36 and 39.

4. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), and further in view of Handley et al. (hereinafter Handley, RFC 2327: SDP, April 1998), further in view of Vilander (US 7,193,987 B2), and further in view of Kumar et al. (hereinafter Kumar, US 6,006,253).

As per claim 40, Liou, Dalrymple, Handley and Vilander discloses the method as in claim 1 as set forth above.

However, Liou, Dalrymple, Handley and Vilander do not disclose the method wherein if the guest terminal does not have the media file, the guest terminal downloads the media file before sending the media playback accept response.

Kumar discloses the process of downloading the media file if the apparatus does not have the media file (col. 7 L25-55: note that the invitations and/or announcement enables the user to download the slides before and/or after the user transmits the accept response).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou, Dalrymple, Handley and Vilander in view of Kumar in order to download the media filed before transmitting the accept message.

One of ordinary skilled in the art would have been motivated because it would have enabled the receivers, i.e. users, to engage in an interactive conference regarding the media file.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), in view of Handley et al. (hereinafter Handley, RFC 2327: SDP, April 1998), further in view of Vilander (US 7,193,987 B2), and further in view of Crandall et al. (hereinafter Crandall, US 2002/0107040 A1).

As per claim 7, Liou, Dalrymple, Handley and Vilander discloses the process of receiving a host internal time from the host terminal or the guest terminal, wherein the host internal time is derived from a global time (Liou: pg. 6 L3-27, pg. 14 L12-24, pg. 7 L10-14).

However, Liou, Dalrymple, Handley and Vilander do not expressly disclose the process of comparing the host internal time to a guest internal time in order to derive a time difference, wherein the guest internal time is derived from the global time; and adjusting transmission of a subsequent message to the host terminal or the guest terminal (Liou may inherently teach the process).

Crandall discloses the process of synchronizing messages by determining host time and guest time, comparing the host time with the guest time in order to derive time difference, i.e.

delay, and adjusting the transmission of a subsequent message to the host terminal (fig. 4, fig. 5, fig. 7, fig. 9, pg. 2 [0030-0034], pg. 3 [0044-0046], pg. 4 [0047-0057]).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou, Dalrymple, Handley and Vialnder in view of Crandall in order to derive a time difference and adjust the transmission of the messages.

One of ordinary skilled in the art would have been motivated because it would have provided same amount of latency for different users and/or actions (Crandall, pg. 1 [0005]).

6. Claims 3 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liou (WO 99/46702) in view of Dalrymple et al. (hereinafter Dalrymple, US 6,976,094 B1), in view of Handley et al. (hereinafter Handley, RFC 2327: SDP, April 1998), further in view of Vilander (US 7,193,987 B2), and further in view of Agresta et al. (hereinafter Agresta, US 2002/0091848 A1).

As per claim 3, Liou, Dalrymple, Handley and Vilander do not disclose the process of verifying permissions associated with the guest terminal, wherein the sending of the playback option received from the guest terminal to the host terminal is responsive to verifying the permissions associated with the guest terminal.

Agresta explicitly teaches the process of verifying the permissions, i.e. authoring account before executing the process such as pause, rewind, forward, etc. (fig. 4A step #116, 138, pg. 6 [0051]).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Liou, Dalrymple, Handley and Vilander in view of Agresta in order to verify the permissions of the terminals and/or users before executing any actions.

One of ordinary skilled in the art would have been motivated because it would have verified the access rights of the user.

As per claim 41, it does not teach or further define over the limitations in claims 3 and 20. Therefore, claim 41 is rejected for the same reasons as set forth in claims 3 and 20.

#### *Additional References*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Andreakis et al., US 6,816,895 B2: Updating the capability negotiation information of a mobile station with an editing application downloaded from service provider.
- Saxena et al., U. S. Patent No. 5,805,821.
- Agarwal et al., U. S. Patent No. 6,314,466 B1.
- Schmidt et al., U.S. Patent No. 6,353,174 B1.
- King et al., US 5,600,775: Method and apparatus for annotating full motion video.
- McLampy et al., US 7,133,923 B2: Real-Time Transport protocol.

**Conclusion**

Examiner's Remarks: The teachings of the prior art should not be restricted and/or limited to the citations by columns and line numbers, as specified in the rejection. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

In the case of amendments, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and support, for ascertaining the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is (571)272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kamal Divecha  
Art Unit 2451

/John Follansbee/  
Supervisory Patent Examiner, Art Unit 2451